

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of Mary M. DaRif and Barbara A. Merriman

Inventor(s)

for PAINT COLOR CARD AND METHODS OF USING THE SAME

Title of invention

the specification of which is being transmitted herewith

OR

In re application of:

Application No.: 0 /

Group No.:

Filed:

Examiner:

For:

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

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(Information Disclosure Statement [6-1]—page 1 of 4)

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
 - (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or
 - (3) Before the mailing date of a first Office action on the merits, whichever event occurs last."
- 37 C.F.R. § 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13 -25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(b).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
 - 7A. ☐ EPO Search Report
 - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☐ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections

, respectively, have been continued on ADDED PAGE(S).

NOTE: "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person making this statement is

(check each applicable item)

- (a) ☐ the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (c) ☐ the practitioner who signs below on the basis of the information:

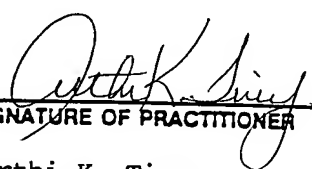
(check each applicable item)

- ☐ supplied by the inventor(s).
☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))
☐ in the practitioner's file.

Reg. No.: 50,960

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SIGNATURE OF PRACTITIONER

Arthi K. Tirey

(type or print name of practitioner)

The Sherwin-Williams Company

P.O. Address

11 Midland Bldg. - Legal Dept.
101 Prospect Avenue, N.W.

Cleveland, Ohio 44115

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	ATTY DOCKET NO. 6962D 1	SERIAL NO.
	APPLICANT(S) Mary M. DaRif and Barbara A. Merriman	
	FILING DATE	GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,486,912	12/30/1969	Dyson	106	22	10/22/1965
	3,565,039	02/23/1971	Remer	118	643	06/25/1969
	3,632,382	01/04/1972	Reed, et al.	117	38	07/15/1969
	3,908,563	09/30/1975	Eckart, Jr.	108	77	12/20/1973
	3,967,009	06/29/1976	Blake	427	256	09/13/1974
	4,078,325	03/14/1978	Valentine	40	388	09/24/1976
	4,102,072	07/25/1978	Buschman	40	124.2	03/17/1977
	4,104,809	08/08/1978	Day, et al.	35	28.5	09/30/1976
	4,177,314	12/04/1979	Steeves	428	336	10/25/1978
	4,379,696	04/12/1983	Lerner	434	98	02/12/1981
	4,457,718	07/03/1984	Lerner	434	98	12/17/1982

FOREIGN PATENT DOCUMENTS

*	EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

*	EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,992,050	02/12/1991	Edwards	434	98	06/07/1989
	5,010,669	04/30/1991	Moran	40	539	05/22/1989
	5,255,456	10/26/1993	Franklin	40	124.1	03/25/1988
	5,277,302	01/11/1994	Seisa	206	1.8	02/07/1992
	5,312,001	05/17/1994	Sorensen	211	50	02/25/1993
	5,359,793	11/01/1994	Copperstone	40	124.1	04/14/1993
	5,728,427	03/17/1998	Akkerman, et al.	427	288	11/22/1994
	5,743,407	04/28/1998	Williams	206	575	11/29/1995
	5,746,600	05/05/1998	Chang	434	98	02/25/1997
	5,803,739	09/08/1998	Hitchcock	434	78	05/12/1997
	Des. 412,010	07/13/1999	Lindley, et al.	D17	20	06/02/1997

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						YES	NO

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	5,951,057	09/14/1999	Spector	283	117	12/26/1995
	5,967,562	10/19/1999	Tubbs, et al.	283	114	12/15/1997
	5,974,388	10/26/1999	Durham	705	1	05/17/1996
	5,985,413	11/16/1999	Boyle, et al.	428	174	07/31/1997
	6,006,927	12/28/1999	Levy	211	51	06/12/1998
	750,620	01/26/1904	Dohse	434	98	10/26/1903
	5,174,758	12/29/1992	Abramson	434	98	12/11/1990
	6,270,123 B1	08/07/2001	Spangler	283	114	05/06/1998
	6,382,676 B1	05/07/2002	Cochran, et al.	283	51	12/08/2000
	6,416,612 B1	07/09/2002	Lerner, et al.	156	277	06/09/1999
	6,112,665	09/05/2000	Teter, et al.	101	483	03/04/1999

FOREIGN PATENT DOCUMENTS

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							YES	NO

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,003,470	01/18/1977	Lagorio et al.	211	50	03/15/1976

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	EP 0 587 321 A2	16.03.1994	EP	G09F	5/04		
	GB 319,519	26.09.1929	Great Britain				
	GB 324,366	24.01.1930	Great Britain				
	GB 1,153,441	29.05.1969	Great Britain				

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		DATABASE WPI - Section PQ, Week 199633, Derwent Publications Ltd., London, GB; Class P85, AN 1996-325295 XP002902571 & JP 08 146882 A (Sumitomo Forestry Co Ltd), 7 June 1996 - abstract;
		DATABASE WIP - Section PQ, Week 199954, Derwent Publications Ltd., London, GB; Class P85, AN 1999-623584 XP002902570 & JP 11 272179 A (Kanebo Ltd), 8 October 1999 - abstract
		3 pages of the International Search Report for International Application No. PCT/US01/49240 corresponding to U.S. Serial No. 10/026,041

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